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AD HOC COMMITTEE ON THE INDIAN OCEAN

SUMMARY RECORD OF THE 418th MEETING

Held at Headquarters, New York,
on Thursday, 21 May 1992, at 10 a.m.

Chairman: Mr. KALPAGE (Sri Lanka)

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Report of the Ad Hoc Committee to the General Assembly at its forty-seventh session

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The meeting was called to order at 11.05 a.m.

REPORT OF THE AD HOC COMMITTEE TO THE GENERAL ASSEMBLY AT ITS FORTY-SEVENTH SESSION (A/AC.159/L.117)

1. The CHAIRMAN said that the Committee would consider agenda item 5 entitled "Report of the Ad Hoc Committee to the General Assembly at its forty-seventh session" and drew attention to the format of the draft report (A/AC.159/L.117) and the elements for inclusion in the draft conclusion and recommendations in part III of the report. He pointed out that those elements had been formulated only on a provisional basis and suggested that the members of the Committee should express their views on them.

2. Mr. JAIN (India) said that the consideration of the report should focus on the areas where the members of the Committee had achieved a complete consensus, although the process of reaching that consensus had frequently met with considerable difficulty.

3. India was committed to the implementation of the 1971 Declaration of the Indian Ocean as a Zone of Peace. Precisely the Declaration and General Assembly resolution 2832 (XXVI) of 16 December 1971 served as the basis for the work of the Committee, while the specific mandate for its work was contained in General Assembly resolution 46/49 of 9 December 1991. Under that resolution a zone of peace was to be established in the Indian Ocean on the basis of the 1971 Declaration and also with account taken of the specific conditions and requirements which the General Assembly and all the members of the Committee considered essential and which to date had not been met. Accordingly, the Committee could conclude that the Conference could not be held in 1993.

4. The mandate of the Committee did not provide for the making of recommendations that went beyond the terms of General Assembly resolution 46/49 of 9 December 1991. The Committee should take concrete steps to work out a new approach. All such steps should be taken on the basis of extensive consultations with all the countries that should participate in that process.

5. Many had pointed out that the 1971 Declaration was an unrealistic document since it did not reflect the real situation existing at the time of its adoption. At the current time, when the international situation had improved, many were saying that the Declaration did not take account of present-day realities. His delegation considered that, in spite of the different situation, the essence of the principles proclaimed in the Declaration had remained unchanged.

6. In April 1991, the coordinator of the Group of Non-Aligned States members of the Ad Hoc Committee had made a statement (A/AC.159/L.108) reiterating the continued validity of the Declaration of the Indian Ocean as a Zone of Peace. The non-aligned States had expressed the hope that the members of the

(Mr. Jain, India)

Committee that had decided not to participate in its work or had decided to withdraw from the Committee would return, thus enabling the Committee to work meaningfully and finally fulfil its mandate.

7. Many of the elements in the draft report submitted by the Chairman reflected the general views of the Group, which was participating in the Committee's work. However, it could not be considered that consensus had been reached on all the elements and in 1984 the Committee had decided to resolve questions relating to the Indian Ocean by consensus. Before undertaking the work of drawing up conclusions and recommendations, the members of the Committee should determine whether it was advisable to seek to reach consensus. Since the Committee was faced with the task of implementing the Declaration, the General Assembly could be asked about possible alternative approaches to solving that problem. Exceeding those bounds would be acting to the detriment of common interests and goals.

8. The CHAIRMAN reminded the members of the Committee that it was necessary in the remaining time to prepare the draft report to the General Assembly and that account should be taken of the fact that the draft text submitted by him consisted only of elements which might be included in the conclusions and recommendations. The purpose of the guidelines adopted in 1984 for resolving questions on the basis of consensus was not to impede, but rather to facilitate, efforts to carry out the tasks entrusted to the Committee.

9. Mr. BUTLER (Australia) said that the elements submitted by the Chairman constituted a good basis for the report and that he agreed with the representative of India that the Committee should report to the General Assembly on questions on which consensus had been reached and that the General Assembly should decide on further steps. At the same time, during the discussions in the Committee practical proposals had been heard with regard to such further steps. The draft report should be made more precise and completed by formulating specific recommendations to the General Assembly on the implementation of the Declaration.

10. Mr. GOONETILLEKE (Sri Lanka), referring to the statement by the coordinator of the Group of Non-Aligned States members of the Ad Hoc Committee, which the representative of India had mentioned, said that no one was casting doubt on the continued validity of the Declaration. That was evident from the very title of General Assembly resolution 46/49, "Implementation of the Declaration of the Indian Ocean as a Zone of Peace". The draft report submitted by the Chairman did not indicate any intention to repudiate the Declaration.

11. There was clear understanding in the Ad Hoc Committee of the changes that had taken place in international relations and it was essential to take those changes into consideration. In its resolution 2832 (XXVI) of 16 December 1971, the General Assembly had called upon the littoral and hinterland States of the Indian Ocean, the permanent members of the Security

(Mr. Goonetilleke, Sri Lanka)

Council and other major maritime users of the Indian Ocean to enter into consultations with a view to the implementation of the Declaration and, in its resolution 2992 (XXXVII) of 15 December 1972, had set the Ad Hoc Committee the task of studying the implications of the proposal made in the Declaration. One of the goals pursued during the current session of the General Assembly had been to set up appropriate machinery for the conclusion of an international agreement on the Indian Ocean as a zone of peace. The Committee's task consisted not only in complying with the resolution but also in discussing and drafting such an international agreement at the appropriate stage of the Conference. In that context, it should be noted that the international climate had changed and that the Ad Hoc Committee required specific indications with regard to its future work. The report must shed light on the current situation and stress the need to continue working for the implementation of the Declaration of the Indian Ocean as a Zone of Peace.

12. Mr. AMBEYI-LIGABO (Kenya) said that, despite the end of the cold war, Kenya was currently more concerned than ever before by issues of peace and stability in the Indian Ocean region. It was still early to talk about peaceful developments in that area. The development of international relations was an extremely complex process, which had to be approached with an understanding of the realities and processes under way in the world. If the idea of declaring the Indian Ocean as a zone of peace was to become a reality, a study must be made of the different ways and means of approaching that task. For that reason it was advisable to make some changes to the text of General Assembly resolution 46/49, as had been suggested by the Committee.

13. At that stage the Committee was required to prepare a report containing a recommendation on its future work. His delegation could not agree with the comment that the elements proposed by the Chairman did not reflect the issues which had been discussed and agreed upon in principle during the informal consultations and formal meetings. The Committee members had to move forward in their work and not raise issues at the last moment which bore no relevance to the essence of the matter. For that reason, Kenya shared the view of the representatives of Australia and Sri Lanka that the Committee's work should be carried out in the context of the elements proposed by the Chairman and that the Committee members were prepared to include new elements in the proposed text which would be conducive to a consensus. It appeared that some members were still unable to accept the elements that had been discussed, but to ensure that the general interests of Committee members ultimately prevailed they should be prepared to consider the new suggestions and to make compromises, in order to prepare a report which reflected the position of the majority.

14. Mr. HASAN (Sudan) said that his delegation did not share the opinion expressed by the representative of India, to the effect that the Committee could not make recommendations to the General Assembly concerning the new approach which should be followed and that the decision on that issue could only be taken by the Assembly itself. The Sudan believed that the Committee

(Mr. Hasan, Sudan)

could make such a recommendation. Of course, that would take place only after consultations had been held with the permanent members of the Security Council and the major maritime users. Furthermore, the Sudan was of the view that the proposed elements clearly reflected the consensus reached by the Committee and it called upon all Committee members to refrain from discussing statements made by representatives of the States concerned and to make specific comments on the proposed text in order that the time available for the Committee's work would be productively used.

15. Mr. MAHMOOD (Pakistan) noted that, during the informal and formal meetings, repeated mention had been made of the Meeting of the Littoral and Hinterland States of the Indian Ocean, held in 1979. His delegation had proposed including a reference to that meeting in the report. No objections had been raised to that proposal but it had not been reflected in the text before the Committee. His delegation therefore requested that an appropriate reference should be included in the text.

16. Mr. GOONETILLEKE (Sri Lanka) suggested that the Committee should take up the first part of the report submitted for its consideration, in order to make productive use of the time available for a discussion of its second and third parts, which contained conclusions and recommendations.

17. The CHAIRMAN said that the Committee's current discussion concerned the third part of the report, which would be based upon the elements he had proposed. That discussion was being held with a view to elucidating the common viewpoint of delegations on the elements in question. Once the general debate on that issue had been concluded, it would be possible to proceed to a consideration of the first and second parts of the report, and then to discuss those parts in detail.

18. Mr. CURE (Mauritius) pointed out that, for the first time in its existence, the Committee had realized that it was unable to perform its mandate under the provisions of the Declaration. The Committee members were currently considering new ways of overcoming that impasse. Since the Conference could not be held without the active participation of the main maritime users and certain permanent members of the Security Council, the problem could be solved only if those permanent members accepted the new method and reviewed their decision not to participate in the Conference or decided to participate at a later stage, should they consider that the Committee had begun to move in a new direction. Judging from the results of the consultations that had been held, the first scenario appeared improbable, leaving the second scenario. If the Committee drew the wrong conclusions from the situation which had arisen, it would cease to exist.

19. Mr. SHOUKRY (Egypt), supported by Mr. JAIN (India), Mr. MFULA (Zambia) and Mr. CURE (Mauritius), suggested on a matter of procedure that the meeting should be closed so that members could enter into informal consultations.

The meeting rose at 12.25 p.m.